

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

HARRY T. COLLINS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 05-624-SLR
	)	
LINDA HUNTER, WARDEN RAPHAEL,	)	
WILLIAMS AND CORRECTIONAL	)	
MEDICAL SYSTEMS.	)	
	)	
	)	
Defendants.	)	

**STATE DEFENDANT’S MOTION TO DISMISS/SUMMARY JUDGMENT PURSUANT  
TO RULES 12 (b)(1) AND 12(b)(6) OF THE  
FEDERAL RULES OF CIVIL PROCEDURE**

COMES NOW, the Defendant, Raphael Williams, by and through undersigned counsel, and hereby respectfully request that this Honorable Court enter an Order, pursuant to Rules 12(b)(1), 12 (b)(6) and 56(c) of the Federal Rules of Civil Procedure, dismissing with prejudice all claims against the Defendant. In support of their motion to dismiss/summary judgment, the Defendant has filed simultaneously herewith a memorandum of points and authorities demonstrating the requested relief.

WHEREFORE, the Defendant respectfully requests that this Honorable Court enter an Order dismissing Plaintiff’s claims with prejudice.

STATE OF DELAWARE  
DEPARTMENT OF JUSTICE

/s/ Lisa Barchi  
\_\_\_\_\_  
Lisa Barchi #3927  
Deputy Attorney General  
Carvel State Office Building  
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Attorney for Defendant Raphael Williams

DATE: April 6, 2006

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WILLIAMS AND CORRECTIONAL	)	
MEDICAL SYSTEMS.	)	
	)	
	)	
Defendants.	)	

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2006, the Motion to Dismiss filed by Defendant Raphael Williams in the above-captioned matter having been duly considered, and any opposition thereto,

IT IS ORDERED that the Motion to Dismiss is granted and that judgment is hereby entered in favor of the movant and against the Plaintiff.

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The Honorable Susan L. Robinson, Judge  
United States District Court

**CERTIFICATE OF SERVICE**

I hereby certify that on April 6, 2006 I electronically filed *Motion to Dismiss* with the Clerk of Court using CM/ECF. I hereby certify that on April 6, 2006 I have mailed by United States Postal Service, the document to the following non-registered participant:

Harry Collins  
SBI# 156625  
Howard R. Young Correctional Institution  
P.O. Box 9651  
Wilmington, DE 19809

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

/s/ Lisa Barchi

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